

Regular Session, 2010

HOUSE BILL NO. 160

BY REPRESENTATIVES ARNOLD, HENRY BURNS, CHANDLER, EDWARDS,
RICHARD, RICHMOND, AND SMILEY

TRAFFIC/VIOLATIONS: Prohibits local governments from using mounted traffic cameras
to issue traffic violations

1 AN ACT

2 To enact R.S. 32:239, relative to traffic violations; to prohibit local governing authorities of
3 any parish or municipality from installing, using, or contracting for the use of any
4 automated recording equipment or system to enforce compliance with any traffic
5 law; prohibits the imposition or collection of fees; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 32:239 is hereby enacted to read as follows:

8 §239. Automated traffic photo enforcement system; prohibition

9 A. Local municipal authorities or local parish authorities shall not adopt,
10 enact, or enforce any ordinance authorizing the use of any automated traffic
11 enforcement system to enforce compliance with traffic laws, ordinances, rules, or
12 regulations on any public street, road, or highway within its jurisdiction.

13 B. Local municipal authorities or local parish authorities shall not install or
14 use or contract with a private vendor to install or use automated traffic enforcement
15 systems to enforce traffic laws, ordinances, rules, or regulations on any public street,
16 road, or highway within its jurisdiction.

17 C. Local municipal authorities or local parish authorities shall not impose or
18 collect any civil or criminal fine, fee, or penalty as a result of an image produced by
19 an automated traffic enforcement system.

1 D. For the purposes of this Section, the term "automated traffic enforcement
2 system" means a camera or optical device installed to work in conjunction with a
3 traffic control signal or radar speed detection equipment or both and designed to
4 record images that depict the license plate or other identifying feature of a motor
5 vehicle that is not operated in compliance with instruction of a traffic control signal
6 or a posted traffic sign.

7 Section 2. Any local municipal authority or local parish authority using an
8 automated traffic enforcement system shall discontinue such use by January 1, 2011.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Arnold

HB No. 160

Abstract: Prohibits use, enforcement, or contracting for the use of automated traffic enforcement systems by local municipal authorities and local parish authorities. Further prohibits imposition or collection of fees resulting from automated traffic enforcement systems.

Proposed law prohibits local municipal authorities or local parish authorities from using, authorizing, or enforcing the use of, or installing automated traffic enforcement systems to enforce traffic regulations.

Proposed law prevents local municipal authorities or local parish authorities from imposing or collecting any civil or criminal fine, fee, or penalty as a result of an image produced by an automated traffic enforcement system.

Proposed law defines the term "automated traffic enforcement system".

Proposed law requires local municipal authorities or local parish authorities currently using automated traffic enforcement systems to discontinue such use by Jan. 1, 2011.

(Adds R.S. 32:239)